

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

KARLA CANCELA LEGANO and  
LEONARDO JAVIER ERIGOLLA  
ZAMORA,

Plaintiffs,

V.

MANUEL LESSA DE LEON and TWO  
WAY LOGISTICS, INC.,

Defendants.

Case No. 23-cv-2329-RJD

## ORDER

**DALY, Magistrate Judge:**

Plaintiffs are citizens of Florida. Defendants are citizens of Texas. The parties were involved in a semi-tractor trailer accident on Interstate 70 in Cumberland County, Illinois on October 16, 2022. This matter comes before the Court on a discovery dispute.

Defendants asked the Court to compel Plaintiffs to appear within the Southern District of Illinois for their depositions. Defense counsel explained that because Plaintiffs do not speak English, an interpreter must be used at their depositions and therefore videoconferencing is not an option. Plaintiffs' counsel explained that compelling Plaintiffs to appear for their deposition within the Southern District of Illinois would be unduly burdensome. Plaintiffs work hourly jobs and cannot afford to miss more than a day. Flying would be difficult for them because of the language barrier, and driving would cause them to miss too much work.

The Federal Rules of Civil Procedure do not require litigants to appear for their depositions in the district in which the case is pending. *See, e.g.*, Fed. R. Civ. P. 30. The district court has

broad discretion to consider a number of factors when asked to determine where a deposition should take place, including economic hardships to the litigants. *See Afram Export. Corp. v. Metallurgiki Halpys, S.A.*, 772 F.2d 1358, 1365 (7th Cir. 1985). Plaintiffs chose to file suit in the Southern District of Illinois, but that is where the accident occurred and apart from choosing a district or state court in Texas or choosing not to file suit at all, Plaintiffs had no other option for venue. Whether the location was Texas or the Southern District of Illinois, Plaintiffs have established that it would be unduly burdensome for them to travel out of state for their depositions. Defendants' request for the Court to compel their deposition within the Southern District of Illinois is DENIED.

**IT IS SO ORDERED.**

**DATED: May 20, 2024**

s/ Reona J. Daly  
**Hon. Reona J. Daly**  
**United States Magistrate Judge**